ENVIRONMENTAL ASSESSMENT REPORT

Cell House Demolition

Wesley Vale

Tas Paper Pty Ltd

Report and recommendations of the EPA Division
Department of Primary Industries, Parks, Water and Environment
to the Board of the Environment Protection Authority
March 2010
### Environmental Assessment Report

<table>
<thead>
<tr>
<th>Proponent</th>
<th>Tas Paper Pty Ltd (Tas Paper)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposal</td>
<td>Demolition of Redundant Cell House</td>
</tr>
<tr>
<td>Location</td>
<td>Wesley Vale</td>
</tr>
<tr>
<td>NELMS no.</td>
<td>7965</td>
</tr>
<tr>
<td>DA number</td>
<td>221/2009</td>
</tr>
<tr>
<td>File</td>
<td>11 18 02</td>
</tr>
<tr>
<td>Document</td>
<td>G:\EEO_Enviro_Ops\EAS_Assessments\EAS_Projects\Tas Paper\AR</td>
</tr>
<tr>
<td>Class of Assessment</td>
<td>2A</td>
</tr>
</tbody>
</table>

### Assessment process milestones

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>21/12/2009</td>
<td>Notice of Intent submitted</td>
</tr>
<tr>
<td>8/1/2010</td>
<td>EER Guidelines issued</td>
</tr>
<tr>
<td>18/12/2009</td>
<td>Permit application submitted to Council</td>
</tr>
<tr>
<td>24/12/2009</td>
<td>Application received by Board</td>
</tr>
<tr>
<td>13/2/2010</td>
<td>Start of public consultation period</td>
</tr>
<tr>
<td>26/2/2010</td>
<td>End of public consultation period</td>
</tr>
</tbody>
</table>

### Acronyms

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board</td>
<td>Board of the Environment Protection Authority</td>
</tr>
<tr>
<td>EER</td>
<td>Environmental Effects Report</td>
</tr>
<tr>
<td>DPIPWE</td>
<td>Department of Primary Industries, Parks, Water and Environment</td>
</tr>
<tr>
<td>EIA</td>
<td>Environmental impact assessment</td>
</tr>
<tr>
<td>EMPC Act</td>
<td><em>Environmental Management and Pollution Control Act 1994</em></td>
</tr>
<tr>
<td>EPBC Act</td>
<td><em>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</em></td>
</tr>
<tr>
<td>LUPA Act</td>
<td><em>Land Use Planning and Approvals Act 1993</em></td>
</tr>
<tr>
<td>SD</td>
<td>Sustainable development</td>
</tr>
</tbody>
</table>
Recommendations

It is recommended that the Director, Environment Protection Authority under delegation from the Board of the Environment Protection Authority:

1. Consider the Division's evaluation of environmental issues associated with the proposal in Section 6 of this report.

2. Note that the evaluation has concluded that the proposal is capable of being managed in an environmentally acceptable manner such that it is unlikely that the RMPS and EMPCS objectives would be compromised, provided that the recommendations made in this report are satisfactorily implemented. These recommendations include the implementation of the commitments made by the proponent in the EER.

3. Approve the proposal subject to the conditions attached to this report.

4. In accordance with s.25(5)(a)(i) of the EMPC Act, notify Latrobe Council that the conditions and restrictions detailed in Appendix 1 (recommended permit conditions) must be contained in a permit granted by the planning authority under the LUPA Act in respect of the proposal, if a permit is to be granted.

5. In accordance with s.25(5)(a)(ii) of the EMPC Act, provide Council with a copy of this report to outline the reasons for the conditions and restrictions.

Report approval

Prepared by:
John Gorrie
Senior Environmental Officer
Date: 19/3/2010

Reviewed by:
Darryl Cook
Section Head, Assessments Section
Date: 19/3/2010

Gary Brown,
Senior Environmental Officer
Wood Processing Section
Date: 11 March 2010

Recommendations accepted:

Warren Jones
Director, Environment Protection Authority
Under delegation from the Board of the Environment Protection Authority
Date: 23/3/2010
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1 Approvals process

An application for a permit under the Land Use Planning and Approvals Act 1993 (LUPA Act) in relation to the proposal was submitted to Latrobe Council on 18 December 2009.

The proposal is defined as a ‘level 2 activity’ under Schedule 2 Subsection (2)(f) of the Environmental Management and Pollution Control Act 1994 (EMPC Act), being the demolition of a building previously associated with the manufacture of paper. Section 25(1) of the EMPC Act required Council to refer the application to the Board of the Environment Protection Authority (the Board) for assessment under the Act. The application was received by the Board on 24 December 2009.

The assessment has been undertaken by the Director, Environment Protection Authority under delegation from the Board.

The Board required that additional information to support the proposal be provided in the form of an Environmental Effects Report (EER).

A draft of the EER was submitted to the Department for comment prior to its formal submission. A final EER was submitted to Council with the permit application. The EER was released for public inspection for a 14-day period commencing on 13 February 2010. An Advertisement was placed in the Advocate newspaper and on the EPA web site. The EER was also referred at this time to relevant government agencies for comment. No public submissions were received.

2 SD objectives and EIA principles

The proposal must be considered by the Director in the context of the sustainable development objectives of the Resource Management and Planning System of Tasmania (RMPS), and in the context of the objectives of the Environmental Management and Pollution Control System (EMPCS) established by the EMPC Act. The functions of the Board are to administer and enforce the provisions of the Act, and in particular to use its best endeavours to protect the environment of Tasmania, and to further the RMPS and EMPCS objectives.

The Director must undertake the assessment of the proposal in accordance with the Environmental Impact Assessment Principles defined in Section 74 of the EMPC Act.
### 3 The proposal

The main characteristics of the proposal are summarised in Table 1. A detailed description of the proposal is provided in Part B of the EER.

**Table 1: Summary of key proposal characteristics**

<table>
<thead>
<tr>
<th>Characteristic</th>
<th>Description/quantities</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Activity description</strong></td>
<td>Demolition of a redundant Cell House contaminated with mercury and containing an asbestos roof, and remediation of contaminated soil surrounding the Cell House.</td>
</tr>
<tr>
<td><strong>Location</strong></td>
<td>221 Mill Road Wesley Vale</td>
</tr>
<tr>
<td><strong>Land zoning</strong></td>
<td>General Industry</td>
</tr>
<tr>
<td><strong>Land tenure</strong></td>
<td>Owned by proponent</td>
</tr>
<tr>
<td><strong>Site overview</strong></td>
<td>The Wesley Vale paper mill site is on relatively flat ground and covers approximately 14 hectares. The cell house is located to the south of the site (Figure 1).</td>
</tr>
<tr>
<td><strong>Surrounding area overview</strong></td>
<td>The Devonport airport is located approximately 1500 metres to the northwest (Figure 2). The township of Wesley Vale is over 1000 metres to the southeast. Bass Strait is over 1800 metres to the north. The nearest residence (indicated by a blue circle in Figure 2) to the site is approximately 500 metres to the north of the cell house.</td>
</tr>
<tr>
<td><strong>Major equipment</strong></td>
<td>Typical machinery required for demolition and remediation of soil contamination.</td>
</tr>
<tr>
<td><strong>Other infrastructure</strong></td>
<td>None</td>
</tr>
<tr>
<td><strong>Inputs</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Water</strong></td>
<td>Some water required for dust suppression</td>
</tr>
<tr>
<td><strong>Energy</strong></td>
<td>Diesel for transport and machinery</td>
</tr>
<tr>
<td><strong>Other raw materials</strong></td>
<td>Clean fill sourced from on or off site to profile areas of removed soil back to acceptable levels to suit the surrounding site.</td>
</tr>
<tr>
<td><strong>Wastes</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Liquid</strong></td>
<td>Water used for dust suppression</td>
</tr>
<tr>
<td><strong>Atmospheric</strong></td>
<td>Potential dust from demolition</td>
</tr>
<tr>
<td><strong>Solid</strong></td>
<td>Contaminated building materials and soils</td>
</tr>
<tr>
<td><strong>Noise</strong></td>
<td>Demolition and earthmoving activities</td>
</tr>
<tr>
<td><strong>Operating hours</strong></td>
<td>Normal business hours</td>
</tr>
<tr>
<td><strong>Project timetable</strong></td>
<td>Begin ASAP after approval, completion within three years of commencement.</td>
</tr>
<tr>
<td><strong>Other Information</strong></td>
<td>The proposal will require the transport and disposal of contaminated waste that is classified as Level 2, 3 and 4 as per Bulletin 105*. It is proposed that Level 2 waste would be disposed of at a licensed Tasmanian landfill. Level 3 and 4 wastes are to be shipped to Queensland to be treated by a private company (Virotec Global Solutions Pty Ltd). The remediated waste may then be disposed of in a Queensland landfill, or returned to Tasmania for disposal at an appropriate landfill.</td>
</tr>
</tbody>
</table>

*Information Bulletin 105, *Classification and Management of Contaminated Soil for Disposal*
Figure 1: Site layout. Red circle indicates Cell House area (From Plate 1 of the EER).
Figure 2. Locality of the Wesley Vale Mill and Surrounds (From Figure 1 of the EER).
4 Need for proposal and alternatives

Tas Paper proposes to close the operation at Wesley Vale and seek a buyer for the site. As part of that process, Tas Paper decided to remove liabilities such as historic contamination to improve the prospects of a sale.

5 Public and agency consultation

Officers from the Division carried out an inspection of the site on the 16 December 2009, with Nigel Cropp and Karen Pascoe (Tas Paper).

The Development Application and EER were released for public inspection for a 14-day period commencing on 13 February 2010. An advertisement was placed in the Burnie “Advocate”

A summary of government agency/body submissions is contained in Appendix 1 of this report.

No public representations were received.

The EER was referred to a number of government agencies/bodies with an interest in the proposal. Responses were received from the following:

- Workplace Standards Tasmania;
- The following Divisions/Areas of the Department of Primary Industries, Parks, Water and Environment also provided submissions on the EER:
  - Aboriginal Heritage Tasmania;
  - Development and Conservation Assessment Branch (DCAB);
  - Waste Section EPA Division;

According to the EER, the proponent will consult with the wider community via the established Tas Paper Community Advisory Panel (CAP).
6 Evaluation of environmental issues

The environmental issues considered relevant to the proposal have been evaluated by the EPA Division. Details of this evaluation, along with recommended permit conditions, are shown in the table below.

<table>
<thead>
<tr>
<th>Issue</th>
<th>Description of potential impacts</th>
<th>Management measures proposed in EER</th>
<th>Public and agency comment</th>
<th>Evaluation and recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aboriginal heritage</td>
<td>Impacts on Aboriginal heritage through ground disturbance</td>
<td>According to the EER, the proponent was advised by Aboriginal Heritage Tasmania (AHT) that although the area was conducive to the presence of Aboriginal relics, due to the highly disturbed nature of the pulp mill site it was unlikely that Aboriginal heritage would be impacted by remediation works.</td>
<td>AHT forwarded the e-mail containing their advice to the proponent.</td>
<td>Considering the advice from AHT, it is recommended that the standard advice relating to legal obligations under the <em>Aboriginal Relics Act 1975</em> (L03) be included in the permit.</td>
</tr>
</tbody>
</table>

Recommendation

It is recommended that the standard advice relating to legal obligations under the *Aboriginal Relics Act 1975* (L03) be included in the permit.
### Issue

**Atmospheric (dust)**

### Description of potential impacts

Impacts on environmental and human health from asbestos and mercury contaminated dust

### Management measures proposed in EER

Vacuum Cleaning of all areas to remove any potentially contaminated dust by a Waste Transporter.

Containment and disposal of any contaminated materials generated by the demolition process (e.g., dust, and asbestos fibres).

Potential human health impacts associated with asbestos and mercury contamination will be addressed using an established Mercury and Asbestos Hygiene Training Session (Commitment 3).

Adherence to WST Regulations and requirements should ensure that asbestos and mercury dust/vapour are controlled (Commitment 4).

### Public and agency comment

WST advised that inspectors will attend initial training sessions to ensure that appropriate procedures are put in place. WST provided a list of the relevant regulations that would control the demolition and remediation. This list was passed on to the proponent.

Public and Environmental Health (DHHS) advised that adherence to the WST legislation to protect staff within the site would ensure that there would be minimal risk to the public off-site from dust emissions.

### Evaluation and recommendation

The proposed measures appear appropriate based on the advice of WST, and Public and Environmental Health. It is recommended that the permit contain a condition requiring the proponent to comply with Best Practice Environmental Management (BPEM) and the EER (G1), and a condition to control dust (A1).

### Recommendation

It is recommended that the proponent be required to comply with standard condition G1 (Compliance with BPEM and EER), and non-standard conditions A1 (Control of dust emissions) and G7 (Commitments).
<table>
<thead>
<tr>
<th>Issue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flora and fauna</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Description of potential impacts</td>
</tr>
<tr>
<td>Impacts on flora and fauna from demolition and soil remediation activities. According to the EER, vegetation comprises grasses, blackberries, ornamental berry bush, wattle, <em>Pinus radiata</em> wildlings and bracken fern.</td>
</tr>
<tr>
<td>Management measures proposed in EER</td>
</tr>
<tr>
<td>The disturbance of vegetation will, as far as practical, be minimised (Commitment 1). According to the EER, it is highly unlikely that native fauna habitat will be disturbed.</td>
</tr>
<tr>
<td>Public and agency comment</td>
</tr>
<tr>
<td>Development and Conservation Assessment Branch (DCAB) considered the activity to have no significant impact on natural values.</td>
</tr>
<tr>
<td>Evaluation and recommendation</td>
</tr>
<tr>
<td>Some vegetation on this site is located in the area that requires soil remediation and removal is therefore required. Considering that the vegetation consists predominantly of introduced species, the clearance is unlikely to impact natural values.</td>
</tr>
<tr>
<td>Recommendation</td>
</tr>
<tr>
<td>It is recommended that the proponent be required to comply with non-standard condition G7 (Commitments).</td>
</tr>
<tr>
<td>Issue</td>
</tr>
<tr>
<td>---------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Effluent disposal</strong></td>
</tr>
<tr>
<td>Description of potential impacts</td>
</tr>
<tr>
<td>In order to control dust dampening using water may be required. This has the potential to result in mercury contaminated effluent.</td>
</tr>
<tr>
<td>Management measures proposed in EER</td>
</tr>
<tr>
<td>According to the EER;</td>
</tr>
<tr>
<td>“The method of dust suppression and retaining dust dampening water is to be approved by the Tas Paper Site Supervisor as determined by the work procedures for each section”.</td>
</tr>
<tr>
<td>“Water use will be minimised to every extent possible while ensuring that WST procedures are met (such as vacuuming dust prior to demolition)”.</td>
</tr>
<tr>
<td>“Only minimal runoff should occur during dampening down, and any runoff should only have low contamination and would collect on to soil which is already contaminated.”</td>
</tr>
<tr>
<td>“Temporary bunds will be created down slope of the Cell Plant.”</td>
</tr>
<tr>
<td>After the asbestos has been removed, soil that has received any dampening water will be sampled. The Proposal should not result in the discharge of contaminated liquid effluent (Commitment 5).</td>
</tr>
<tr>
<td>Public and agency comment</td>
</tr>
<tr>
<td>No comments were received in relation to effluent disposal.</td>
</tr>
<tr>
<td>Evaluation and recommendation</td>
</tr>
<tr>
<td>The use of water is likely to be unavoidable in order for the proponent to protect human health from mercury contaminated asbestos dust. The measures proposed such as vacuuming dust would be expected to limit the amount of water required. Appropriate bunds down slope of the Cell House would also retain any potentially contaminated water on the Land. While this water could contaminate the Land, the proposed remediation process (including sampling and removal of the soil post-demolition, if required) would be expected to remove the potential for long term contamination.</td>
</tr>
<tr>
<td>The EPA Division’s Waste Section recommended that the proponent be required to undertake an environmental site assessment post remediation to assess whether the site is suitable for ongoing use as an industrial site (G9). This condition also requires the proponent to demonstrate that pollution has not, and will not, migrate off the Land. It is recommended that the permit contain a condition preventing the discharge of potentially contaminated water from the Land (E3). Condition E1 requires perimeter drains to be established around the Land, and E2 is a standard condition relating to management of stormwater on the Land.</td>
</tr>
<tr>
<td>Recommendation</td>
</tr>
<tr>
<td>It is recommended that the proponent be required to comply with standard conditions E1 (Perimeter drains) and E2 (Stormwater) and non-standard conditions E3 (Dust suppression water) G9 (Environmental site assessment) and G7 (Commitments).</td>
</tr>
</tbody>
</table>
### Groundwater

**Description of potential impacts**
Impact on groundwater from soil contamination

**Management measures proposed in EER**
No specific measures were proposed

**Public and agency comment**
No comment was received regarding groundwater.

**Evaluation and recommendation**
A groundwater monitoring network is established on this site including three bores adjacent (down gradient) to the Cell House. Recent sampling has not detected mercury in any of these bores. Removal of the contaminated soil will also reduce the risk of groundwater becoming contaminated. The EPA Division’s Waste Section advised that the environmental site assessment (proposed condition G9) requires soil samples to be taken from beneath the slab. This would provide further information on the potential risk of groundwater contamination.

**Recommendation**
It is recommended that the proponent be required to comply with non-standard condition G9 (Environmental site assessment).

### Hazardous materials

**Description of potential impacts**
According to the EER, it is likely that small quantities of oxy-acetylene gases will be required, plus diesel for machinery (eg excavator).

**Management measures proposed in EER**
Contractors will be required to use their own storages and manage their hazardous goods accordingly.
All contractors will undertake works under the close supervision of Tas Paper. All works will comply with Tas Paper’s Permit to Work system.

**Public and agency comment**
No comments received in relation to hazardous goods.

**Evaluation and recommendation**
The management measures appear appropriate

**Recommendation**
It is recommended that the proponent be required to comply with standard condition G1 (Compliance with BPEM and EER).
### Environmental Assessment Report – Tas Paper Wesley Vale Cell House Demolition

### Issue

#### Noise

**Description of potential impacts**

Noise impacts on residences resulting from demolition and earth works

**Management measures proposed in EER**

The proponent considered it unlikely that nuisance would be caused because of the distance between residences and the Cell House.

If a noise complaint is received, it will be investigated (Commitment 8).

**Public and agency comment**

The EPA Division noise specialist advised that the activity is not expected to cause a noise nuisance to neighbouring residences.

**Evaluation and recommendation**

The nearest residences are approximately 500 metres away. The current activity operates under Environmental Protection Notice (EPN) 7064/3. This EPN has a noise condition that limits noise at another domestic premises to 55 dB(A) 24 hours a day. Considering that this noise limit currently exists, and the proponent stated that the proposed activity would be carried out during business hours, the noise specialist recommended that the noise limit should be 55 dB(A) from 0700 hours to 1800 hours Monday to Friday, and 0800 hours to 1600 hours on Saturday. 40 dB(A) is recommended for all other times (N1). It is recommended that operating hours be limited to 0700 to 1800 Monday to Friday and 0800 to 1600 Saturday (N2)

**Recommendation**

It is recommended that the proponent be required to comply with non-standard conditions G7 (Commitments), N1 (Noise limits) and N2 (Operating hours).
<table>
<thead>
<tr>
<th>Issue</th>
<th>Rehabilitation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description of potential impacts</strong></td>
<td>Erosion and visual impact</td>
</tr>
<tr>
<td><strong>Management measures proposed in EER</strong></td>
<td>Approval will be sought from the Director at the completion of all stages of the project that the Land has been remediated to the satisfaction of the Director.</td>
</tr>
<tr>
<td><strong>Public and agency comment</strong></td>
<td>No comments received</td>
</tr>
<tr>
<td><strong>Evaluation and recommendation</strong></td>
<td>Vegetation will need to be removed to access the contaminated soil. The proponent has submitted a decommissioning and rehabilitation plan (DRP) for the whole site (including the Cell House area) to the Director, EPA. Decommissioning and rehabilitation on the Land will be in accordance with the approved DRP.</td>
</tr>
<tr>
<td><strong>Recommendation</strong></td>
<td>There are no recommendations in relation to rehabilitation.</td>
</tr>
</tbody>
</table>
## Issue

### Waste management

### Description of potential impacts

Impact resulting from the removal, transport and disposal of contamination waste materials. These materials include building materials and soil contaminated with asbestos and mercury.

### Management measures proposed in EER

- All Level 2 materials (as defined in Bulletin 105) will be disposed of at an appropriate licensed landfill facility in Tasmania (Commitment 6).
- Level 3 and 4 waste (as defined in Bulletin 105) will be managed by external contractors and transported interstate (Commitment 7).

### Public and agency comment

No public representations were received. The EPA Division’s Waste Section provided advice on the regulatory mechanisms under *Environmental Management and Pollution Control (Waste Management Regulations) 2000*, that the proponent must adhere to in relation to the transport and disposal of any controlled waste within Tasmania, and interstate.

### Evaluation and recommendation

The EPA Division’s Waste Section advised that the proposed approach by the proponent complies with the above regulations. The contaminated sites unit advised that a contaminated site must be cleaned up to the extent necessary so that environmental harm would not be caused off-site, and that the site is suitable for the designated future land use. In this case, that would be deemed as industrial use. However, the proponent has proposed to clean up the site to the extent that all soils would be classed as fill material (as defined in Bulletin 105), which is a higher level of cleanup than that required for an industrial site. It is assumed that Tas Paper are undertaking this course of action pursuant to their interests.

It is the opinion of the EPA Division that waste from the site can be managed in an appropriate manner through compliance with the *Environmental Management and Pollution Control (Waste Management) Regulations 2000*, and *National Environment Protection (Movement Of Controlled Waste Between States And Territories) Measure as Varied December 2004 (WM1)*, controlled waste regulations (*WM2*) and the waste management hierarchy (*WM3*).

### Recommendation

It is recommended that the proponent be required to comply with standard conditions WM2 (Controlled waste transport) and WM3 (Waste management hierarchy), and non-standard condition WM1 (Waste management). It is also recommended that the relevant sections of EMPCA are brought to the attention of the proponent via a letter from the Director.
7 Conclusions

The EPA Division is of the view that:

(i) the RMPS and EMPCS objectives have been duly and properly pursued in the assessment of the proposal; and

(ii) the assessment of the proposal has been undertaken in accordance with the Environmental Impact Assessment Principles; and

(iii) the recommendations set out in this report accord with the Board’s responsibilities in relation to these objectives and principles.

This assessment has been based upon the information provided by the proponent in the permit application, and EER.

This assessment has incorporated specialist advice provided by Divisions of DPIPWE in relation to a number of key issues.

It is concluded that the proposal is capable of being managed in an environmentally acceptable manner such that it is unlikely that the RMPS and EMPCS objectives would be compromised, provided that the recommendations made in this report are satisfactorily implemented, including the commitments made by the proponent in the EER.

8 References


9 Summary of appendices

Appendix 1 Proposed permit conditions, includes Attachment 2 EER commitments
PERMIT PART B
PERMIT CONDITIONS - ENVIRONMENTAL No. 7965

Issued under the Environmental Management and Pollution Control Act 1994

Applicant: PAPER AUSTRALIA PTY LTD
ACN 061 583 533
307 FERN TREE GULLY RD
MOUNT WAVERLRY VIC 3124

Activity: The demolition of a redundant Cell House (ACTIVITY TYPE: Pulp and Paper Works)
WESLEY VALE MILL,
WESLEY VALE TAS 7310

The above activity has been assessed as a level 2 activity under the Environmental Management and Pollution Control Act 1994 under delegation from the Board of the Environment Protection Authority.

Acting under Section 25(5)(a)(i) of the EMPCA, the Board of the Environment Protection Authority has required that this Permit Part B be included in any Permit granted under the Land Use Planning and Approvals Act 1993 with respect to the above activity.

Municipality: LATROBE
Permit Application Reference: 221/2009
EPA file reference: 111802

Date conditions approved: 23 MAR 2010

Signed: DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY
DEFINITIONS

Unless the contrary appears, words and expressions used in this Permit Part B have the meaning given to them in Schedule 1 of this Permit and in the EMPCA. If there is any inconsistency between a definition in the EMPCA and a definition in this Permit Part B, the EMPCA prevails to the extent of the inconsistency.

ENVIRONMENTAL CONDITIONS

The person responsible for the activity must comply with the conditions contained in Schedule 2 of this Permit Part B.

INFORMATION

Attention is drawn to Schedule 3, which contains important additional information.
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## Attachments

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DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

23 MAR 2010
Schedule 1: Definitions

In this Permit Part B:-

Aboriginal Relic has the meaning described in section 2(3) of the Aboriginal Relics Act 1975

Activity means any environmentally relevant activity (as defined in Section 3 of EMPCA) to which this document relates, and includes more than one such activity

Authorized Officer means an authorized officer under section 20 of EMPCA

Best Practice Environmental Management or 'BPEM' has the meaning described in Section 4 of EMPCA

Director means the Director, Environment Protection Authority holding office under Section 18 of EMPCA and includes a person authorised in writing by the Director to exercise a power or function on the Director's behalf

Dust suppression water means water used to suppress dust during demolition activities.

EMP means the Tas paper-Wesley Vale Environmental Effects Report (EER) for Demolition of Redundant Cell Plant and Remediation of Contamination prepared by Karen Pascoe, dated February 2010, and and includes any amendment to or substitution of this document, approved in writing by the Director.

EMPCA means the Environmental Management and Pollution Control Act 1994

Environmental Harm and Material Environmental Harm and Serious Environmental Harm each have the meanings ascribed to them in Section 5 of EMPCA

Environmental Nuisance and Pollutant each have the meanings ascribed to them in Section 3 of EMPCA

Noise Sensitive Premises means residences and residential zones (whether occupied or not), schools, hospitals, caravan parks and similar land uses involving the presence of individual people for extended periods, except in the course of their employment or for recreation.

Person Responsible is any person who is or was responsible for the environmentally relevant activity to which this document relates and includes the officers, employees, contractors, joint venture partners and agents of that person, and includes a body corporate

Planning Authority means the Council(s) for the municipal area(s) in which The Land is situated

The Land means the land on which the activity to which this document relates may be carried out, and includes: buildings and other structures permanently fixed to the land, any part of the land covered with water, and any water covering the land. The Land falls within the area defined by:

1 plan shown at Attachment 1

Waste has the meaning ascribed to it in Section 3 of EMPCA
Schedule 2: Conditions

Maximum Quantities

Q1 Regulatory limits
   1 The activity must not exceed the following limits:
      1.1 No production or capacity limits set. tonnes/year of pulp and paper produced.
          (Annual fecs are derived from this figure.)

General

G1 Compliance with EMP and BPEM
   The Land must be developed and used, and the activity on The Land must be carried out and
   monitored, in accordance with the environmental management measures set down in the
   Environmental Management Plan ('EMP'), and in accordance with best practice
   environmental management, unless otherwise specified in these conditions or contrary to
   EMPCA.

G2 Access to and awareness of conditions and associated documents
   A copy of these conditions and any associated documents referred to in these conditions must
   always be held in a location that is known and accessible to the person responsible for the
   activity. The person responsible for the activity must take all reasonable steps to ensure that
   all persons who are responsible for undertaking work on The Land, including contractors and
   sub-contractors, are familiar with these conditions to the extent relevant to their work.

G3 Incident response
   If an incident causing or threatening environmental nuisance, serious environmental harm or
   material environmental harm from pollution occurs in the course of the activity, then the
   person responsible for the activity must immediately take all reasonable and practicable action
   to minimise any adverse environmental effects from the incident.

G4 No changes without approval
   1 The following changes, if they may cause or increase the emission of a pollutant which
      may cause material or serious environmental harm or environmental nuisance, must
      only take place in relation to the activity if a new permit has been issued by the relevant
      planning authority (where the authority determines that a permit is required) or, if no
      such permit is required, the prior written approval of the Director (which shall not be
      withheld unreasonably):
      1.1 a change to a process used in the course of carrying out the activity; or
      1.2 the construction, installation, alteration or removal of any structure or equipment
          used in the course of carrying out the activity; or
      1.3 a change in the nature of materials used in the course of carrying out the activity.

G5 Change of responsibility
   1 If the person who is or was responsible for the activity will cease or ceases to be
      responsible for the activity, then, as soon as reasonably practicable, but no later than 30
      days after that cessation, that person must:
      1.1 notify the Director in writing of that fact;
      1.2 provide the Director with full particulars in writing of any person succeeding him
          or her as the person responsible; and

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1.3 notify any such person of the requirements of any relevant permit, environment protection notice or other environmental management obligations.

G6 Change of ownership
If the person responsible for the activity is not the owner of The Land upon which the activity is carried out and the owner of The Land changes or is to change, then, as soon as reasonably practicable but no later than 30 days after becoming aware of the change, the person responsible must notify the Director in writing of the change of ownership.

G7 Commitments
The activity must be carried out in accordance with the commitments contained in Attachment 2 unless otherwise specified in these conditions or unless otherwise approved in writing by the Director.

G8 Complaints register
1 A public complaints register must be maintained and made available for inspection by an Authorized Officer upon request. The public complaints register must, as a minimum, record the following detail in relation to each complaint received in which it is alleged that environmental harm (including an environmental nuisance) has been caused by the activity:
   1.1 the time at which the complaint was received;
   1.2 contact details for the complainant;
   1.3 the subject-matter of the complaint;
   1.4 any investigations undertaken with regard to the complaint; and
   1.5 the manner in which the complaint was resolved, including any mitigation measures implemented.
2 Complaint records must be maintained for a period of at least 3 years.

G9 Environmental site assessment
1 Unless otherwise approved by the Director, prior to any sale or lease of The Land, a report must be submitted to the Director that details the results of an Environmental Site Assessment (ESA) on The Land. The report must demonstrate to the Director’s satisfaction that The Land is suitable to be used as an ongoing commercial/industrial site, and that pollution has not, and will not, migrate off The Land. Unless otherwise approved by the Director in writing, the ESA must be conducted to in accordance with the following documents.
   1.1 National Environment Protection (Assessment of Site Contamination) Measure, 1999 made by the National Environment Protection Council under the National Environment Protection Council Act 1994 (Cth) (the NEPM);
   1.2 Australian Standard, Guide to the sampling and investigation of sites with potentially contaminated soil, Part 1: Non-volatile and semi-volatile compounds, Standards Australia, AS 4482.1 - 2005;
   1.3 Australian Standard, Guide to the sampling and investigation of potentially contaminated soil, Part 2: Volatile substances, Standards Australia, AS 4482.2 - 1999;
   1.5 Minimum construction requirements for water bores in Australia, Edition 2; Land and Water Biodiversity Committee, September 2003;
   1.6 Groundwater Sampling Guidelines Publication 669, EPA Victoria, April 2000;

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1.7 Hydrogeological Assessment (Groundwater Quality) Guidelines, Publication 668, EPA Victoria, September 2006.
1.8 Guidelines for the Assessment, Remediation and Management of Asbestos Contaminated sites in Western Australia, Dept of Health, Western Australia, May 2009.

G10 Dealing with samples obtained for monitoring

1 Any sample or measurement required to be obtained under these conditions must be subject to the following:
   
1.1 samples must be tested in a laboratory accredited by the National Association of Testing Authorities (NATA), or a laboratory approved in writing by the Director, for the specified test;
   
1.2 measurements must be made and samples must be collected and analysed in accordance with relevant Australian Standards, NATA approved methods, the *American Public Health Association Standard Methods for the Analysis of Water and Waste Water, Noise Measurement Procedures Manual* or other standard(s) approved by the Director;

1.3 details relating to the collection and analysis of the sample must be retained for at least three years after the date of measurement and must be made available on request to an Authorized Officer; and

1.4 the sample must be taken and transported by a person with appropriate training and experience.

Atmospheric

A1 Control of dust emissions
Dust emissions from demolition activities, roads, disturbed areas, storage heaps, and machinery on The Land must be controlled to the extent necessary to prevent environmental nuisance.

Effluent Disposal

E1 Perimeter drains

1 Perimeter cut-off drains must be constructed at strategic locations on The Land to prevent surface run-off from entering the area used or disturbed in carrying out the activity. All reasonable measures must be implemented to ensure that sediment transported along these drains remains on The Land. Such measures may include provision of strategically located sediment fences, and appropriately sized and maintained sediment settling ponds.

2 Drains must have sufficient capacity to contain run-off that could reasonably be expected to arise during a 1 in 20 year rainfall event. Maintenance activities must be undertaken regularly to ensure that this capacity does not diminish.

E2 Stormwater

1 Polluted stormwater that will be discharged from The Land must be collected and treated prior to discharge to the extent necessary to prevent serious or material environmental harm, or environmental nuisance.

2 Notwithstanding the above, all stormwater that is discharged from The Land must not carry pollutants such as sediment, oil and grease in quantities or concentrations that are likely to degrade the visual quality of any receiving waters outside the Land.

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3 All reasonable measures must be implemented to ensure that solids entrained in stormwater are retained on The Land. Such measures may include provision of strategically located sediment fences, and appropriately sized and maintained sediment settling ponds.

4 Stormwater discharged in accordance with this condition must not be directed to sewer without the approval of the operator of the sewerage system.

E3 Dust suppression water
Dust suppression water must not be discharged from The land.

Noise Control

N1 Noise emission limits
1 Noise emissions from the activity when measured at any noise sensitive premises in other ownership and expressed as the equivalent continuous A-weighted sound pressure level must not exceed:
   1.1 55 dB(A) between 0800 hours and 1800 hours; and
   1.2 40 dB(A) between 1800 hours and 0700 hours.

2 Where the combined level of noise from the activity and the normal ambient noise exceeds the noise levels stated above, this condition will not be considered to be breached unless the noise emissions from the activity are audible and exceed the ambient noise levels by at least 5 dB(A).

3 The time interval over which noise levels are averaged must be 10 minutes or an alternative time interval specified by the Director.

4 Measured noise levels must be adjusted for tonality, impulsiveness, modulation and low frequency in accordance with the Tasmanian Noise Measurement Procedures Manual.

5 All methods of measurement must be in accordance with the Tasmanian Noise Measurement Procedures Manual, issued by the Director.

N2 Operating hours
1 Unless otherwise approved by the Director, activities associated with demolition or soil remediation must not be undertaken outside the following times:
   1.1 0700 hours to 1800 hours Monday to Friday; and
   1.2 0800 hours to 1700 hours Saturdays

2 Notwithstanding the above paragraph, the above activities must not be carried out on Sundays or Public Holidays that are observed State-wide without the written approval of the Director.

Waste Management

WM1 Waste management
Waste management must be conducted in accordance with the Environmental Management and Pollution Control (Waste Management) Regulations 2000, and National Environment Protection (Movement Of Controlled Waste Between States And Territories) Measure as Varied December 2004.

WM2 Controlled waste transport
Transport of controlled wastes to and from The Land must be undertaken only by persons authorised to do so under EMPCA or subordinate legislation.

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WM3 Waste management hierarchy

1 The generation of waste must be avoided as far as practicable in accordance with Best Practice Environmental Management.

2 Wastes must be managed in accordance with the following hierarchy of waste management:

2.1 waste must be minimised, that is, the generation of waste must be reduced to the maximum extent that is practicable, having regard to best practice environmental management;

2.2 waste must be re-used or recycled to the maximum extent that is practicable; and

2.3 waste that cannot be re-used or recycled must be disposed of at a waste depot site or treatment facility that has been approved in writing by the Director to receive such waste, or otherwise in a manner approved in writing by the Director.
Schedule 3: Information

Legal Obligations

LO1 EMPCA
The activity must be conducted in accordance with the requirements of the *Environmental Management and Pollution Control Act 1994* and Regulations thereunder, and in accordance with the principles of Best Practice Environmental Management. The requirements of this permit must not be construed as an exemption from any of those requirements or principles.

LO2 Storage and handling of Dangerous Goods and Dangerous Substances
1 The storage, handling and transport of dangerous goods and dangerous substances must comply with the requirements of relevant State Acts any regulations thereunder, including:
   1.1 *Dangerous Goods (Safe Transport) Act 1998*;
   1.2 *Dangerous Substances (Safe Handling) Act 2005*;
   1.3 *Dangerous Goods (Road and Rail Transport) Regulations 1998*;
   1.4 *Workplace Health and Safety Act 1995*; and
   1.5 *Workplace Health and Safety Regulations 1998*

LO3 Aboriginal relics requirements
1 The *Aboriginal Relics Act 1975*, provides legislative protection to Aboriginal heritage sites in Tasmania regardless of site type, condition, size or land tenure. Section 14(1) of the Act states that; Except as otherwise provided in this Act, no person shall, otherwise than in accordance with the terms of a permit granted by the Minister on the recommendation of the Director:
   1.1 destroy, damage, deface, conceal or otherwise interfere with a relic;
   1.2 make a copy or replica of a carving or engraving that is a relic by rubbing, tracing, casting or other means that involve direct contact with the carving or engraving;
   1.3 remove a relic from the place where it is found or abandoned;
   1.4 sell or offer or expose for sale, exchange, or otherwise dispose of a relic or any other object that so nearly resembles a relic as to be likely to deceive or be capable of being mistaken for a relic;
   1.5 take a relic, or permit a relic to be taken, out of this State; or
   1.6 cause an excavation to be made or any other work to be carried out on Crown land for the purpose of searching for a relic.
2 If a relic is suspected and/or identified during works then works must cease immediately and the Tasmanian Aboriginal Land and Sea Council and the Aboriginal Heritage Office be contacted for advice before work can continue. In the event that damage to an Aboriginal heritage site is unavoidable a permit under section 14 of the *Aboriginal Relics Act 1975* must be applied for. The Minister may refuse an application for a permit, where the characteristics of the relics are considered to warrant their preservation.
3 Anyone finding an Aboriginal relic is required under section 10 of the Act to report that finding as soon as practicable to the Director of National Parks and Wildlife or an authorized officer under the *Aboriginal Relics Act 1975*. It is sufficient to report the finding of a relic to the Aboriginal Heritage Office to fulfil the requirements of section 10 of the Act.

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MANAGEMENT COMMITMENTS
(From PART D of the EER)

Commitment 1: The disturbance of vegetation will, as far as practical, be minimised.

Commitment 2: The Proposal will not result in filling, excavation or impoundment of a river, creek, wetland or estuary.

Commitment 3: Potential human health impacts associated with asbestos and mercury contamination will be addressed using an established Mercury and Asbestos Hygiene Training Session.

Commitment 4: Adherence to WST Regulations and Requirements should ensure that asbestos and mercury dust/vapour are controlled.

Commitment 5: The Proposal should not result in the discharge of contaminated liquid effluent.

Commitment 6: All Level 2 materials will be disposed of at an appropriate Licensed Landfill Facility in Tasmania.

Commitment 7: Level 3 and 4 waste will be managed by external contractors and transported interstate.

Commitment 8: If a noise complaint is received, it will be investigated. Part C.